

MINUTES

City Council of the Town of Colma
Town Hall, 1198 El Camino Real
Colma, CA 94014

Wednesday, June 11, 2008
7:30 p.m.

CALL TO ORDER

Mayor Helen Fisicaro called the Regular Meeting of the City Council to order at 7:36 p.m.

Council Present – Mayor Helen Fisicaro, Vice Mayor Joanne F. del Rosario, and Council Members Frossanna Vallergera, Joseph Silva and Diana Colvin were present.

Staff Present – City Manager Diane McGrath, Assistant City Manager Laura Allen, City Attorney Roger Peters, Police Chief Bob Lotti, Senior Planner Catherine Barber, Recreation Director Brian Dossey, City Engineer Rick Mao and Administrative Technician Kris Krow.

Also Present: Rae Gonzalez, City Treasurer

Mayor Fisicaro asked for a change to the agenda to add birthday recognition for Ms. Ceferina Malimban, and to move Item #5 off of the consent calendar. This was moved by Council Member Vallergera and seconded by Council Member Colvin, and passed with a 5 – 0 vote.

PRESENTATIONS

Mayor Fisicaro introduced Ms. Ceferina Malimban and presented her with flowers and a certificate to commemorate her 85th Birthday.

INTRODUCTIONS

Police Chief Bob Lotti introduced Officer Barton McHale, the newest hire for the Police Department.

Director of Recreation Brian Dossey introduced three new recreation department employees: Michelle Dizon, Jose Gutierrez and Francisco Arroliga-Miranda.

City Attorney Roger Peters introduced Attorney Melanie Donnelly from Best, Best and Krieger, who will assist Mr. Peters with Town of Colma issues.

PUBLIC COMMENTS

Mayor Fisicaro opened the public comment period at 7:44 p.m.

The following speakers came to the podium to state their opposition to aerial spraying for the Light Brown Apple Moth: Trude Gebin of Daly City, Sharon Luehs of Pacifica, Janice Morris, R.N. of Daly City, Sandie Schmaier of Hillsborough, and Linda Abbey of Burlingame. The public comment period was closed at 8:04 pm.

CONSENT CALENDAR

1. Motion to Accept the Minutes from the May 14, 2008 Regular Meeting.
2. Motion to Accept the Minutes from the May 28, 2008 Special Meeting.
3. Motion to Approve the Warrants List for May 2008.
4. Motion to Adopt a Resolution Approving Memorandum of Understanding With Police Sergeants Association.

Action: Council Member Vallergera moved to approve Items # 1 through 4, seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

NEW BUSINESS

5. Motion to Adopt a Resolution Approving Bulk Services Agreement with Comcast of California IX, Inc.

This item was moved from the consent calendar. City Manager Diane McGrath presented the staff report.

Mayor Fiscaro opened the public hearing at 8:08 p.m. David Hatfield of Colma and Charito Casanas of Colma commented. Mayor Fiscaro closed the public hearing at 8:09 p.m.

Council discussed the options and terms of an agreement with Comcast.

Action: Council Member Vallergera moved to Adopt a Resolution Approving a 3-Year Bulk Services Agreement with Comcast of California IX, Inc., seconded by Vice Mayor del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

PUBLIC HEARING

6. DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT ("DIVCA")

City Attorney Roger Peters presented the staff report.

Mayor Fiscaro opened the public hearing at 8:23 pm, and with no comments, the hearing was closed.

Council discussion followed.

Action: Vice Mayor del Rosario moved to Approve the Reading by Title Only and to Introduce an Ordinance Adding Sections 4.08.500 Through 4.08.570 to the Colma Municipal Code, Relating to State Franchises Under the Digital Infrastructure and Video Competition Act ("DIVCA"), seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

7. TOBACCO RETAILER PERMITS

City Attorney Roger Peters presented the staff report. Council discussion followed.

Mayor Fiscaro opened the public hearing at 8:27 pm, David Hatfield of Colma appeared, and the hearing was closed.

Action: Vice Mayor del Rosario moved to Approve the Reading by Title Only and to Introduce An Ordinance Amending Colma Municipal Code Subchapter 4.10 Relating To Governing Tobacco Retailer Permits, seconded by Council Member Silva and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

8. CITY/COUNTY HEALTH OFFICER

City Attorney Roger Peters presented the staff report. Council discussion followed. Mayor Fisicaro opened the public hearing at 8:29 pm, and with no comments, the hearing was closed.

Action: Vice Mayor del Rosario moved to Approve the Reading by Title Only and to Introduce an Ordinance Amending Colma Municipal Code section 1.03.070, relating to the Health Officer, seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fisicaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

At 8:31 pm, the Mayor called upon Jim Comstock, from the Colma-Daly City Chamber of Commerce, and he gave the City Council an update the Chamber's activities and thanked the Council for their support.

OLD BUSINESS

9. FIVE-YEAR CAPITAL IMPROVEMENT PLAN FY 2008/2009 THROUGH FY 2012/13

Assistant City Manager Laura Allen presented the staff report.

Mayor Fisicaro opened the public hearing at 8:43 pm. David Hatfield, Rae Gonzalez, Maureen O'Connor, and Pat Hatfield, all of Colma, commented. At 8:49 pm, the hearing was closed.

Council discussion followed. Lack of parking at the Community Center was discussed.

Council Member Silva moved to Adopt a Resolution Approving the Five-Year Capital Improvement Plan FY 2008/2009 through 2012/2013, seconded by Vice Mayor del Rosario, the motion carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fisicaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

10. **FY 2008-09 BUDGET**

Assistant City Manager Laura Allen presented the staff report.

Mayor Fisicaro opened the public hearing at 8:55 pm. Anne Behr from Peninsula Conflict Resolution Center, Barbara Jwanouskos of the Second Harvest Food Bank, and Jacob Lile from the Shelter Network, all spoke and thanked Council for their previous support. The public hearing was closed at 9:02 pm.

Council discussion followed. Contribution to Second Harvest Food Bank will remain at the same level as last year.

Mayor Helen Fisicaro moved to Approve a Resolution Adopting Budget, Choosing Measure of Inflation, and Establishing Appropriations Limits For Fiscal Year 2008-2009, with the adjustments discussed, seconded by Vice Mayor del Rosario, the motion carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fisicaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallergera	✓				
Joseph Silva	✓				
Diana Colvin	✓				
Voting Tally	5	0			

STUDY SESSION

11. **TOWN OF COLMA WEBSITE POLICY**

Assistant City Attorney Melanie Donnelly presented the staff report. Council discussion followed. No action was taken.

COUNCIL CALENDARING

Mayor Fisicaro announced that the next Regular City Council meeting will be held on July 9th and the subsequent meeting will be on August 20th. The Special Meeting on June 20th will be held at the Community Center from 8:30 am until 2:00 pm.

REPORTS

Mayor Helen Fisicaro attended the Colma Creek Committee meeting.

Council Member Silva will be out of town the month of July, and will need coverage at C/CAG on July 10th.

ADJOURNMENT

There being no further business Mayor Fisicaro adjourned the Regular Meeting at 9:27 pm in memory of John Crowley.

Respectfully Submitted,



Kris Krow

Administrative Technician